

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TITA NYANDJA NYAMBI,

Plaintiff,

v.

HUMBOLDT COUNTY JAIL,

Defendant.

Case No. [22-cv-05212-JSC](#)

ORDER OF DISMISSAL

Plaintiff, proceeding without a lawyer, filed this civil rights case under 42 U.S.C. § 1983. Plaintiff thereafter informed the Court that his address changed from the Humboldt County Jail to the San Francisco County Jail. (ECF No. 5.) Consequently, when the Court thereafter dismissed the complaint with leave to amend, the Clerk mailed it to him at his new address at the San Francisco County Jail. (ECF No. 9.) The Court received a letter from the San Francisco County Sheriff's Department stating that Plaintiff was released from their custody and no longer located there. (ECF No. 11.) Plaintiff did not update his address with the Court. Pursuant to Civil Local Rule 3.11, on December 8, 2022, the Court directed Plaintiff to provide his current address within 60 days. (ECF No. 12.) That order was mailed to the only address the Court had for Plaintiff --- the San Francisco County Jail --- and predictably it was returned by the postal service as undeliverable, on December 23, 2022. (ECF No. 14.) Plaintiff has not updated his address.

Civil Local Rule 3-11 provides as follows:

3-11. Failure to Notify of Address Change

(a) Duty to Notify. An attorney or a party proceeding pro se whose address changes while an action is pending must promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address.

(b) Dismissal Due to Failure. The Court may, without prejudice, dismiss a complaint or strike an answer when:

- (1) Mail directed to the attorney or pro se party by the Court has been returned to the Court as not deliverable; and

(2) The Court fails to receive within 60 days of this return a written communication from the attorney or pro se party indicating a current address.

More than 60 days have passed since the mail was returned, and Plaintiff has not provided an updated address. Consequently, the case is DISMISSED without prejudice pursuant to Civil Local Rule 3-11(b).

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: March 1, 2023


JACQUELINE SCOTT CORLEY
United States District Judge

United States District Court
Northern District of California